

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

RICHARD WALKER,

Plaintiff,

v.

CIVIL ACTION NO.  
3:20-cv-773

ALLIANCE OUTDOOR GROUP, INC.,  
and  
ALLIANCE OUTDOORS PRODUCTS, INC.,  
d/b/a X-STAND TREESTANDS,

Defendants.

VIDEOTAPED

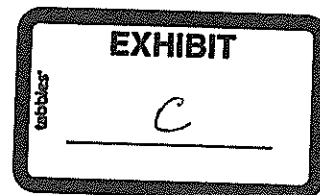
DEPOSITION UPON ORAL EXAMINATION  
OF ALLIANCE OUTDOOR GROUP, INC., BY AND THROUGH  
ROBERT MEYER,  
TAKEN ON BEHALF OF THE PLAINTIFF

Lakeville, Minnesota

May 5, 2021

KATHLEEN BEARD ADAMS, CCR, RPR, CRR

Court Reporter



<p style="text-align: right;">Page 41</p> <p>1 time when it was first manufactured in 2013 to</p> <p>2 today?</p> <p>3 A. Sorry about that.</p> <p>4 Q. Sure.</p> <p>5 A. The modification is on the -- on the</p> <p>6 arms. I don't know if you can scroll down to see</p> <p>7 the picture at all. It might be a little easier to</p> <p>8 describe.</p> <p>9 Q. Okay. Describe it for me. That's fine.</p> <p>10 That works.</p> <p>11 A. Okay. You know, on the -- on the seat</p> <p>12 platform, foot platform, there's the -- the arms</p> <p>13 that can rotate and pivot. The -- the tubing</p> <p>14 thickness of the -- of the pipe where the bolt goes</p> <p>15 through -- they -- they increased the size of -- of</p> <p>16 the pipe where the bolt goes through, just like the</p> <p>17 -- the wall thickness of it, so, it's a bigger</p> <p>18 diameter. And then because they did that, then the</p> <p>19 tubing that goes up and that creates the arm itself</p> <p>20 is all a bigger diameter because they wanted it to</p> <p>21 match and be able to be manufactured easier, you</p> <p>22 know, with them all matching the same -- same</p> <p>23 diameter. So, they changed that.</p> <p>24 And then basically what that did is</p> <p>25 because the -- the tubing on the arms are -- are</p>	<p style="text-align: right;">Page 43</p> <p>1 So, if you look at the -- the seat section, so, the</p> <p>2 top part --</p> <p>3 Q. Yeah.</p> <p>4 A. -- the arms -- so, the way that they</p> <p>5 attach to the -- to the seat platform is there's</p> <p>6 bolts that go through a pipe. And then where that</p> <p>7 pipe is, that was -- that was made with the larger</p> <p>8 -- larger -- sorry -- a thicker wall on that pipe.</p> <p>9 So, because that pipe became bigger with a -- a</p> <p>10 larger outside diameter, then the tubing in the arms</p> <p>11 was all increased to match. And then because the</p> <p>12 tubing is larger than the inside of that, so, the</p> <p>13 tubing became bigger also. That's where we used a</p> <p>14 -- a -- a slightly thicker plastic coating.</p> <p>15 Q. Got you. Okay. So, did that alter any</p> <p>16 aspect of the cable?</p> <p>17 A. The -- the only thing it did was made a</p> <p>18 -- a slightly thicker plastic coating over the</p> <p>19 cable.</p> <p>20 Q. Okay. Okay. All right. And when did</p> <p>21 this change take place?</p> <p>22 A. It would have been when we changed to a</p> <p>23 new factory. It's on your list there. I don't</p> <p>24 really recall the date. I saw it -- I saw it</p> <p>25 earlier.</p>
<p style="text-align: right;">Page 42</p> <p>1 bigger, that the -- the inside diameter where the</p> <p>2 cable goes into is slightly larger. So, they ended</p> <p>3 up putting a thicker plastic coating over the cable.</p> <p>4 And that's the changes.</p> <p>5 Q. Okay.</p> <p>6 A. You know, the thicker plastic cable --</p> <p>7 all that is doing is because the -- the -- the tube</p> <p>8 itself on the inside is larger, so, the -- the</p> <p>9 plastic diameter or the -- sorry, not the</p> <p>10 diameter -- the plastic coating is just a little bit</p> <p>11 thicker to help make it a snug fit instead of being</p> <p>12 real loose and floppy.</p> <p>13 Q. Okay. Okay. Thank you.</p> <p>14 When you say the tube, are -- do you</p> <p>15 mean the -- the cable assembly?</p> <p>16 A. No.</p> <p>17 Q. Okay. So...</p> <p>18 A. If -- if you could draw to the drawing,</p> <p>19 I -- I can point it out quite a bit better.</p> <p>20 Q. Sure. Did you have -- the -- the -- the</p> <p>21 drawing model. All right. Let's see if we can do</p> <p>22 that. Can we go back up to the -- the top one and</p> <p>23 let's just sort of move down. And if you could tell</p> <p>24 me where -- where to stop.</p> <p>25 A. Maybe just the -- yeah. This is fine.</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. Would it have been before or after the</p> <p>2 recall event, which was in August of 2020?</p> <p>3 A. Before.</p> <p>4 Q. Okay. It would have been after the --</p> <p>5 the events at issue here -- after the injury</p> <p>6 occurred to Mr. Walker, which was in, I believe,</p> <p>7 2018?</p> <p>8 A. Say that again.</p> <p>9 Q. It -- it was sometime between 2018 and</p> <p>10 20 -- 2020?</p> <p>11 A. Yes.</p> <p>12 MR. SPINELLI: Okay. Okay. And can we</p> <p>13 drop down so we can put on the record what page we</p> <p>14 were looking at when we had that discussion? That</p> <p>15 -- that would have been page 6. Okay. Okay.</p> <p>16 BY MR. SPINELLI:</p> <p>17 Q. So, with those changes that were</p> <p>18 implemented did that generate any new blueprints?</p> <p>19 A. I would assume, yes.</p> <p>20 Q. Okay.</p> <p>21 A. But --</p> <p>22 Q. Go ahead.</p> <p>23 A. What I was -- I was going to say is we</p> <p>24 started working with the new factory, which in</p> <p>25 return they would have -- they would have created</p>

<p style="text-align: right;">Page 45</p> <p>1 new blueprints anyways. And -- and that was -- that</p> <p>2 was -- just their manufacturing method that they</p> <p>3 preferred was to -- to make it that way.</p> <p>4 Q. Okay. Do we -- so, it was that the --</p> <p>5 the manufacturing company preferred to make those</p> <p>6 changes?</p> <p>7 A. That's correct.</p> <p>8 Q. Okay. So, those changes didn't have</p> <p>9 anything to do with trying to fix or prevent</p> <p>10 injuries such as what happened in Mr. Walker's case?</p> <p>11 A. That's correct.</p> <p>12 Q. Okay. Okay. That was just a preference</p> <p>13 of the manufacturing company?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Did they -- did you ever see such</p> <p>16 a design blueprint with these modifications?</p> <p>17 A. I don't believe so.</p> <p>18 Q. Okay. Do you know if -- do you know if</p> <p>19 those actually exist? Because we've asked for them</p> <p>20 and we haven't seen them. That's why I'm asking.</p> <p>21 A. I can only assume that they exist, but I</p> <p>22 -- I do not have them.</p> <p>23 MR. SPINELLI: Okay. Okay.</p> <p>24 MR. SUTTON: And just so you know, we</p> <p>25 haven't been able to get those.</p>	<p style="text-align: right;">Page 47</p> <p>1 clear on this, let's go and take a look again, if</p> <p>2 you would, at number 40 -- page 40. Brendan, if you</p> <p>3 could put that up. And if we could drop down to the</p> <p>4 20 -- the steel cable/wire rope supplier. Okay.</p> <p>5 BY MR. SPINELLI:</p> <p>6 So, what we have here -- and you can see</p> <p>7 2015-2016, cables manufactured and supplied by a</p> <p>8 component supplier to Yangzhou Auto Parts, but the</p> <p>9 component supplier -- we don't know who that is; is</p> <p>10 that -- is that correct? I mean, it's consistent</p> <p>11 with -- with what we heard earlier.</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Okay. So, with that in mind, do</p> <p>14 we know what sort of quality control was in place at</p> <p>15 that location, the component -- the component</p> <p>16 supplier location?</p> <p>17 A. I -- that I'm not sure of.</p> <p>18 Q. Okay.</p> <p>19 A. I think -- I don't think that was on my</p> <p>20 -- my list for quality checks.</p> <p>21 Q. Well, I'm asking about -- and -- and</p> <p>22 this is concerning number 3, and I'm asking you</p> <p>23 about cable specifications. So, I'm sort of --</p> <p>24 that's why I'm asking about quality control, but if</p> <p>25 you don't know you don't know, if you do know you</p>
<p style="text-align: right;">Page 46</p> <p>1 MR. SPINELLI: Okay. Thank you.</p> <p>2 Appreciate that.</p> <p>3 BY MR. SPINELLI:</p> <p>4 Q. All right. So, let's talk a little bit</p> <p>5 about the decision to use the cable design in -- in</p> <p>6 this -- in this particular product. And we've sort</p> <p>7 of covered this previously, but do -- do -- do you</p> <p>8 know where the -- the actual cable that was at issue</p> <p>9 in this case --</p> <p>10 MR. SPINELLI: And you can take that --</p> <p>11 you can take the exhibit down now. I don't -- I</p> <p>12 don't need it right at this moment.</p> <p>13 BY MR. SPINELLI:</p> <p>14 Q. Do you know -- do we know where the</p> <p>15 actual cable that was at issue in this case was --</p> <p>16 was actually manufactured?</p> <p>17 A. I believe Keith gave that to you</p> <p>18 earlier.</p> <p>19 Q. Okay. Well, it's my understanding it</p> <p>20 was manu -- that it was actually manufactured</p> <p>21 somewhere in China, but we're not sure where. Is</p> <p>22 that consistent with your understanding?</p> <p>23 A. You know, I'm -- I'm not sure. I'd have</p> <p>24 to review it.</p> <p>25 MR. SPINELLI: Okay. So, just to be</p>	<p style="text-align: right;">Page 48</p> <p>1 do, and please let me know.</p> <p>2 So, let me just rephrase it or restate</p> <p>3 it. Do we know what kind of quality control was in</p> <p>4 place at that component supplier?</p> <p>5 A. I do not.</p> <p>6 Q. Okay. Do we know whether the wire cable</p> <p>7 that was manufactured was coated or -- or not</p> <p>8 coated?</p> <p>9 A. Yeah. It's zinc galvanized.</p> <p>10 Q. Okay. You -- you think that it's a --</p> <p>11 well, it -- it -- it's a zinc -- a galvanized zinc</p> <p>12 coating --</p> <p>13 A. Yeah.</p> <p>14 Q. -- is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. So -- and how do you know that it</p> <p>17 was -- it was a galvanized zinc coating?</p> <p>18 A. After discussing with Barry.</p> <p>19 Q. Well, don't tell me what you discussed</p> <p>20 with Barry.</p> <p>21 Let me ask you, have you seen any</p> <p>22 materials or documents that have been produced to us</p> <p>23 that reflect the presence of a galvanized zinc</p> <p>24 coating on the -- on the wires?</p> <p>25 A. Not that I recall.</p>